

Barry McHugh, ISB #3439
Bruce A. Anderson, ISB #3392
Taeya Howell, ISB #6858
ELSAESSER JARZABEK ANDERSON
MARKS ELLIOTT & MCHUGH, CHTD.
1400 Northwood Center Court, Suite C
Coeur d'Alene, ID 83814
Tel: (208) 667-2900
Fax: (208) 667-2150

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CLERK
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Attorneys for Trustee


UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO

In Re:)	Case No. 03-21652
)	
GERALD and ONA LINDSEY, et al.,)	NOTICE OF HEARING ON
)	TRUSTEE'S MOTION TO DISMISS
Debtors.)	OR VACATE NEVAK MINING,
)	LTD.'S MOTION TO SET ASIDE
)	ORDER APPROVING COMPROMISE

PLEASE TAKE NOTICE that Ford Elsaesser, the Chapter 7 Trustee, by and through his attorney of record, Barry McHugh, of ELSAESSER JARZABEK ANDERSON MARKS ELLIOTT & MCHUGH, CHTD., will bring his Motion to Dismiss or Vacate Nevak Mining, Ltd.'s Motion to Set Aside Order Approving Compromise for hearing before the Bankruptcy Judge on the 20th day of October, 2004, at 10:00 a.m., Pacific Standard Time, in the U.S. Federal Courthouse, 220 E. 5th Street, Moscow, Idaho.

DATED this 15th day of October, 2004.

ELSAESSER JARZABEK ANDERSON
MARKS ELLIOTT & MCHUGH, CHTD.


Barry McHugh
Attorney for Trustee

NOTICE OF HEARING ON TRUSTEE'S MOTION TO DISMISS OR VACATE NEVAK
MINING, LTD.'S MOTION TO SET ASIDE ORDER APPROVING COMPROMISE - 1

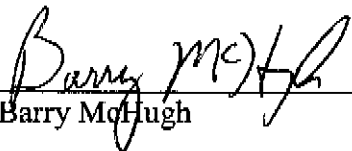
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CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of October, 2004, a true and correct copy of the foregoing NOTICE OF HEARING ON TRUSTEE'S MOTION TO DISMISS OR VACATE NEVAK MINING, LTD.'S MOTION TO SET ASIDE ORDER APPROVING COMPROMISE was served upon the following via first class U.S. Mail, postage prepaid:

Ford Elsaesser Chapter 7 Trustee P.O. Box 2220 Sandpoint, ID 83864	U.S. Trustee MK Central Plaza 720 Park Blvd., Suite 220 Boise, ID 83712
Michael Ioane C/O 801 Woodside Road, Ste. 14-404 Redwood City, CA 94061	Brit D. Groom Attorney at Law P.O. Box 227 Cottonwood, ID 83522
Dru Guthrie Attorney at Law P.O. Box 50616 Idaho Falls, ID 83405	Danny Radakovich Attorney at Law 1624 G Street Lewiston, ID 83501
Glen Halliday C/O 801 Woodside Road, Ste. 14-404 Redwood City, CA 94061	Steven B. McCrea Attorney at Law P.O. Box 1501 Coeur d'Alene, ID 83816
Sheila R. Schwager Attorney at Law Hawley Troxell P.O. Box 1617 Boise, ID 83701-1617	Warren Derbidge US Attorney's Office 800 Park Boulevard, Suite 600 Boise, ID 83712
H. James Magnuson Attorney at Law PO Box 2288 1250 Northwood Center Court Coeur d'Alene, Idaho 83814	Clinton Jim Henderson Attorney at Law 604 Sixth Street Clarkston, WA 99403
Peter J. Cabbiness Attorney at Law 2440 West Shaw Avenue, Suite 114 Fresno, CA 93711	Jennifer D. Auchterlonie US Department of Justice P.O. Box 683 Ben Franklin Station Washington, DC 20044-0683

Edwin L. Litteneker Attorney at Law PO Box 321 322 Main Street Lewiston, ID 83501	
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Barry McHugh